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Docket No.: E3331.0601
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
James Sinclair et al.

Application No.: 10/694,758

Confirmation No.: 5750

Filed: October 29, 2003

Art Unit: 3624

For: TRADING SYSTEM

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

- ☒ This IDS is being filed before the First Office Action¹.
- ☐ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².

¹ The IDS should, where possible, include a certification under 37 C.F.R. §1.97(e).

² The IDS *must* include *either* a certification under 37 C.F.R. §1.97(e) *or* the fee set forth in 37 C.F.R. §1.17(p).

- ☐ This IDS is being filed after the issuance of a Final Office Action but before the payment of the Final Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

- ☐ Statement under 37 CFR § 1.97(e):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

- ☐ Statement Under 37 C.F.R. § 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application less than thirty days prior to the filing of this information disclosure statement.

Fee Required by 37 C.F.R. § 1.97(c)(2) or 1.97(d)(2):

- ☐ If checked, the fee of \$180.00 set forth in 37 C.F.R. §1.17(p) is attached.

³ The IDS *must* include *both* a certification under 37 C.F.R. §1.97(e) *and* the fee set forth in 37 C.F.R. §1.17(p).

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

- ☒ A legible copy⁴ of each document (or relevant portion thereof) is cited in the attached PTO/SB/08.
- ☐ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:
- ☐ A translation of the relevant portions of the non-English language information⁵;
 - ☐ A statement explaining the relevant portions of the non-English language information;
 - ☐ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in a counterpart foreign application in which the information was cited; or
 - ☐ This information is contained in the specification of the present application.

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) *requires* that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an “X”, “Y”, or “A” indication on a search report. MPEP §609 III A(3).

☐ In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. _____, filed _____, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

Whether or not the information and references disclosed in this Information Disclosure Statement is "material" pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

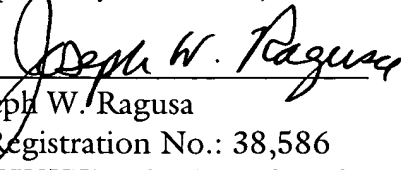
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

In the event the actual fee is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 50-2215.

Dated: January 26, 2005

Respectfully submitted,

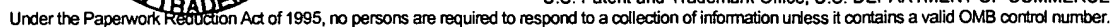
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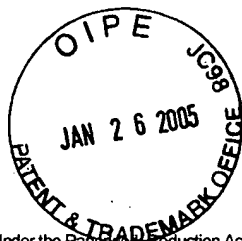
Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA	US 6,584,451	06/24/2003	Shoham et al.	
	AB	US 6,594,633	07/15/2003	Broerman	
	AC	US 6,321,202	11/20/2001	Raveis, Jr.	
	AD	US 6,519,574	02/11/2003	Wilton et al.	
	AE	US-6,807,635	11/19/2004	Kleckner	
	AF	US 2004/0133506	07/08/2004	Glodjo et al.	
	AG	US 2002/0091624	07/11/2004	Glodjo et al.	
	AH	US 2003/0069836	04/10/2003	Penney et al.	
	AI	US 2003/0149653	08/07/2003	Penney et al.	
	AJ	US 2003/0088509	05/08/2003	Wilton et al.	
	AK	US 2001/0005829	06/28/2001	Raveis, Jr.	
	AL	US 2002/0116332	08/22/2002	Sanchez	
	AM	US 2001/0037230	11/01/2001	Raveis, Jr. et al.	
	AN	US 2001/0047282	11/29/2001	Raveis, Jr.	
	AO	US 2002/0046159	04/18/2002	Raveis, Jr.	
	AP	US 2002/0049624	04/25/2002	Raveis, Jr.	
	AQ	US 2002/0002545	01/03/2002	Resneck	
	AR	US 2002/0007334	01/17/2002	Dicks et al.	
	AS	US 2002/0023033	02/21/2002	Campbell et al.	
	AT	US 2002/0069176	06/06/2002	Newman	
	AU	US 2002/0083015	06/27/2002	Yoshifuku et al.	
	AV	US 2002/0087452	07/04/2002	Megiddo	
	AW	US 2002/0138400	09/26/2002	Kitchen et al.	
	AX	US 2003/0088509	05/08/2003	Wilton et al.	
	AY	US 2003/0018561	01/23/2003	Kitchen et al.	
	AZ	US 2002/0152153	10/17/2002	Nakagawa	
	AAA	US 2002/0152156	10/17/2002	Tyson-Quah	
	ABB	US 2002/0184135	12/05/2002	Zakaria	
	ACC	US 2002/0188553	12/12/2002	Blauvelt et al.	
	ADD	US 2003/0055772	03/20/2003	Goldstein	
	AEE	US 2003/0061147	03/27/2003	Fluhr et al.	
	AFF	US 2003/0074273	04/17/2003	Miller et al.	
	AGG	US 2003/0083973	05/01/2003	Horsfall	
	AHH	US 2003/0084001	05/01/2003	Chang	
	AII	US 2003/0139996	07/24/2003	D'Antoni et al.	
	AJJ	US 2003/0149654	08/07/2003	Harrington et al.	
	AKK	US 2003/0154171	08/14/2003	Karp et al.	
	ALL	US 2003/0163413	08/28/2003	Wiczowski	
	AMM	US 2002/0023030	02/21/2002	Prohaska et al.	
	ANN	US 2002/0103667	08/01/2002	Jannah et al.	

Examiner Signature	Date Considered
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PTO/SB/08a/b (08-03)
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known		
			Application Number	10/694,758-Conf. #5750	
			Filing Date	October 29, 2003	
			First Named Inventor	James Sinclair	
			Art Unit	3624	
			Examiner Name	Not Yet Assigned	
Sheet	2	of	1	Attorney Docket Number	E3331.0601

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	BA	WO-03/023564	03/20/2003	FX Alliance, LLC		
	BB	WO-03/073302	09/04/2003	FX Alliance, LLC		
	BC	WO-04/044811	05/27/2004	FX Alliance, LLC		
	BD	WO-01/75658	10/11/2001	Currenex, Inc.		
	BE	WO-01/75751	10/11/2001	Currenex, Inc.		
	BF	WO-01/75753	10/11/2001	Currenex, Inc.		
	BG	WO-01/75752	10/11/2001	Currenex, Inc.		
	BH	WO-02/39401	05/16/2002	Currenex, Inc.		
	BI	WO-02/086660	10/31/2002	Currenex, Inc.		
	BJ	WO-02/093294	11/21/2002	Currenex, Inc.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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